



**Administration Department**  
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**Minutes**  
**City of Burlington Plan Commission**  
**Police Dept. Courtroom**  
**March 9, 2010, 6:30 p.m.**

Mayor Miller called the Plan Commission meeting to order this Tuesday evening at 6:30 p.m. followed by roll call: Aldermen Tom Vos and Steve Rauch; Commissioners Chris Reesman, Darrel Eisenhardt, John Lynch and Bob Henney. Student Representative Carrie Coppernoll was present. Student Representative Richie Hoffman and Town of Burlington Representative Phil Peterson were absent. Also present were City Planner Patrick Meehan, Building Inspector/Zoning Administrator Patrick Scherrer, Alderman Katie Simenson and City Engineer Tom Foht.

**APPROVAL OF MINUTES**

Commissioner Eisenhardt moved and Commissioner Lynch seconded to approve the minutes of February 11, 2010. All were in favor and the motion carried.

**CITIZEN COMMENTS**

None

**PUBLIC HEARINGS**

**A. A Public Hearing to hear public comments regarding a Conditional Use Application from Stelling and Associates for property located at 400 N. Dodge Street to construct a hotel.**

- Mayor Miller opened the public hearing at 6:32 p.m.
- Tom Stelling of Stelling and Associates Architects gave a brief presentation of the proposed hotel project. Mr. Stelling stated the hotel will be a 3-story, 54 unit Hampton Inn with a style similar to the Hampton Inn in Elkhorn and complimentary to the historic district. The contractor is preparing to begin work in the next couple of months and projected to be completed by autumn 2010.
- John Brensinger, 444 N. Pine Street, questioned if there will be angled parking on Dodge Street. Mr. Stelling responded yes plus a parking lot on site.
- Mr. Brensinger further questioned if Dodge Street or the alley were to be widened. Tom Foht of Kapur & Associates, Inc. stated the street will not be widened however there will only be parking on the east side of the road. Mr. Foht further stated that the alley will be widened to about 16 feet wide.

- Mr. Brensinger questioned if there will be a difference in the level of grade between the hotel parcel and Chestnut Street. Mr. Stelling responded there would be approximately a three foot difference in grade.
- There were no further comments. Commissioner Lynch moved and Commissioner Reesman seconded to close the Public Hearing at 6:38 p.m. All were in favor and the motion carried.

## **OLD BUSINESS**

### **A. Consideration to approve Resolution Number 5 recommending the amendment of the Multi-Jurisdictional Comprehensive Plan as requested by John Hotvedt on behalf of Spiegelhoff Development, LLC to rezone 672 W. State Street.**

- Mayor Miller opened this issue for discussion.
- Patrick Meehan mentioned that a Restrictive Covenant was submitted by the applicants to restrict commercial use on the north end of the property.
- Commissioner Henney questioned if this property will remain one lot or be split into two. Attorney John Hotvedt responded stating the parcel will remain one lot with the Restrictive Covenant paralleling the two parcels to the west.
- Mayor Miller stated that if any changes were to be proposed for this site it would need to come before the Plan Commission first.
- John Helm, 163 Beth Court questioned exactly where the Restrictive Covenant boundaries were. Attorney Hotvedt stated it lines up approximately even with the back of the Gooseberries store, just a few feet north and 400 feet from the north edge of the property.
- There were no further comments.

Commissioner Lynch moved and Alderman Vos seconded to approve Resolution Number 5, subject to Patrick Meehan's January 29, 2010 memorandum to the Plan Commission as follows:

- The Comprehensive Plan Amendment procedures be followed by the City staff, Plan Commission, and Common Council prior to the granting of a Comprehensive Plan amendment or the rezoning of the subject property.
- That the Common Council amend by ordinance, prepared by the City Attorney, the Comprehensive Plan, as it pertains to the subject property, from the current " Medium Density Residential (6,200 sq. ft. to 18,999 sq. ft. per dwelling)" land use designation to the proposed "Commercial Use" land use designation under the provisions of both Section 66.1001(4) of the Wisconsin Statutes and Chapter XV titled "Implementation Element" of the recent City-adopted SEWRPC Community Assistance Planning Report No. 301 titled A Multi-Jurisdictional Comprehensive Plan for Racine County: 2035.

- Following Common Council action, the City of Burlington staff send a copy of the adopting ordinance and the plan amendment to those parties listed in Sections 66.1001 (4) (b) and (e) of the Statutes.
- That the subject property be rezoned by the Common Council from the Rs-3 Single-Family Residence District to the B-1 Neighborhood Business District.

*A roll call vote was taken; Ayes: Vos, Rauch, Eisenhardt, Henney, Lynch and Reesman; Nays: none. Motion carried 6-0.*

**B. Consideration to recommend approval of a Rezone request by John Hotvedt on behalf of Spiegelhoff Development, LLC to rezone 672 W. State Street from the Rs-3 Single-Family Residence District to B-1 Neighborhood Business District to use the existing residential structure as an office.**

- Mayor Miller opened this issue for discussion.
- Alderman Vos questioned if Spiegelhoff Development would need to provide on site parking. Patrick Meehan stated yes they would and a Site Plan would need to come before the Plan Commission to show this.
- There were no further comments.

Commissioner Lynch moved and Commissioner Henney seconded to approve the rezone request subject to Patrick Meehan's January 29, 2010 memorandum to the Plan Commission as follows:

- That a public hearing for the proposed rezoning is to be held pursuant to the provisions of Section 315-121 of the City Zoning Ordinance.

*A roll call vote was taken; Ayes: Vos, Rauch, Eisenhardt, Henney, Lynch and Reesman; Nays: none. Motion carried 6-0.*

**NEW BUSINESS**

**A. Consideration to recommend approval to the Common Council of a Certified Survey Map from J.W. Peters for property located at 500 W. Market Street to divide the parcel.**

- Mayor Miller opened this issue for discussion.
- Alderman Rauch questioned what the motivation was to divide this parcel. Mayor Miller stated he believes J.W. Peters would like to sell a portion of their property in the future.

- Robert Wetzel, B.W. Surveying, explained to the Commission that Outlot 1 would be deeded over to the City for use with Branen Field as part of the dugout currently lies on the portion of J.W. Peter's property.
- Carl Beck, J.W. Peters, explained that dividing the parcel is a method of allowing more options for the two sub-companies under the parent company of J.W. Peters, Cretex Materials and the precast plant. He further stated the property is divided according to where each perspective company houses their materials.
- There were no further comments.

Alderman Vos moved and Commissioner Eisenhardt seconded to recommend approval of a rezone request for property immediately south of 6551 S. Pine Street, subject to Kapur & Associates February 22, 2010 and Patrick Meehan's February 28, 2010 memorandums to the Plan Commission as follows:

- Due to the fact that each parcel is quite large (over 40 acres), no development is proposed at this time, and also based upon the City's requirement to submit existing topography as part of any future Site Plan submitted for the subject property, it is recommended that this requirement be waived by the Plan Commission pursuant to the requirements of Section 278-11 of the City Subdivision of Land Ordinance.

*All in favor and the motion carried.*

**B. Consideration to recommend approval to the Common Council of a Certified Survey Map from Stelling and Associates for property located at 400 N. Dodge Street.**

- Mayor Miller opened this issue for discussion.
- Commissioner Lynch questioned why the parcel is being split into two lots. Mayor Miller explained that Lot 1 is still owned by the CDA as part of the TIF 3 District and cannot be sold until TIF 3 is closed out.
- Alderman Rauch questioned why the city is not requiring stormwater management plans when the State of Wisconsin might. Tom Foht of Kapur & Associates explained that property under 40,000 square feet (about one acre) does not require stormwater management plans per city code. He further stated that per chapter NR 216 of the Wisconsin Administration Code plans will not be required as the land will be considered undisturbed.
- Alderman Rauch questioned if a fill application has been applied for with the Wisconsin DNR to remove the parcel out of the floodplain. Mr. Foht responded that Kapur & Associates have applied to the DNR on behalf of the city.
- There were no further comments.

Commissioner Lynch moved and Commissioner Henney seconded to recommend approval of this Certified Survey Map subject to Patrick Meehan's February 27, 2010 memorandum to the Plan Commission as follows:

- The Certified Survey Map shall be officially recorded at the office of the Racine County Register of Deeds prior to the City's issuance of a Building Permit.
- The material of which the monuments, corners, or other points are made shall be noted at the representation thereof or by legend on the Certified Survey Map, except lot, outlot, and meander corners need not be shown. The legend for metal monuments on the Certified Survey Map shall indicate the kind of metal, the outside diameter, length, and weight per lineal foot of the monuments.
- Pursuant to the requirements of Sections 236.34(1)(c) and 236.20(2)(e), the proposed outlot needs to be numbered as "Outlot 1."

*A roll call vote was taken; Ayes: Vos, Rauch, Eisenhardt, Henney, Lynch and Reesman; Nays: none. Motion carried 6-0.*

**C. Consideration to approve Conditional Use and Site Plan applications from Stelling and Associates for property located at 400 N. Dodge Street to construct a hotel.**

- Mayor Miller opened this issue for discussion.
- Commissioner Lynch questioned what the width of Dodge Street will be and if it will remain a two-way street. Mr. Foht stated the width will remain the same as its current state and it will continue to be two-way, however the parking stalls will be moved from both sides of the street to only on the east side of Dodge Street.
- Commissioner Lynch stated he is concerned with snow removal once the angle parking is implemented. Mayor Miller stated the removal process will be similar to how Pine Street and Washington Avenue are handled. Alderman Vos questioned if snow removal would be easier if angled parking was installed from Jefferson Street to Chestnut Street. Mayor Miller stated this would need to be researched more as the WI DOT is currently putting together plans to repave Dodge Street. Tom Foht stated it seems it would be a minor adjustment to the design plans to add additional angled parking stalls however storm sewer placement and elevations would need to be looked at.
- Commissioner Lynch questioned if the right turning radius on Dodge Street and Chestnut Street will allow for semi-trucks to turn at the intersection. Tom Foht stated the turning radius will be similar to other streets in the downtown district which will allow for trucks.
- There were no further comments.

Alderman Vos moved and Commissioner Henney seconded to approve this Conditional Use and Site Plan subject to Kapur and Associates' March 5, 2010 and Patrick Meehan's February 27, 2010 memorandums to the Plan Commission as follows:

- If the subject property remains located within the FFO District and the "Letter of Map Revision" is not granted, commercial structures/uses and habitable residential structure/uses (such as a hotel) are also conditional uses (under the provisions of Section 315-40(B)(2) of the City Zoning Ordinance) and would need to also meet the requirements of Sections 315-40(C) and 315-130 (including Section 315-130D) of the City Zoning Ordinance
- Copies of any approvals granted by the Wisconsin Department of Natural Resources and/or the Federal Emergency Management Agency (FEMA) relative to filling and/or modifying the existing 100-year recurrence interval floodplain shall be provided to the City as such approvals are obtained (as applicable, as determined by the City Engineer).
- The Site Plan shall be corrected and revised to show the single row and aisle of 90-degree parking spaces of a minimum of 45 feet in width and the double row and aisle of 90 degree parking spaces a minimum of 65 feet in width.
- A catalog page, cut sheet, or photograph of the luminaire including the mounting method, a graphic depiction of the luminaire lamp (or bulb) concealment, and graphic depiction of light cut-off angles data needs to be submitted by the applicant.
- A photometric data test report of the proposed luminaire graphically showing the lighting distribution in all angles vertically and horizontally around the luminaire data needs to be submitted by the applicant.
- The 62.5 square-foot wall sign proposed for the southeast building elevation is not allowed since it does not face a public street. Therefore, the applicant should either seek a variance to this requirement from the Zoning Board of Appeals or submit a revised drawing of the southeast building elevation to the City staff which indicates no wall sign placed upon the southeast building elevation.
- Pursuant to the requirements of Section 315-137(C)(15) of the City Zoning Ordinance, the proposed sanitary sewers, storm sewers, water mains, fire hydrants, and proposed connections need to be indicated on the Site Plan and a revised Site Plan submitted to the City staff for review graphically indicating those features.
- No utility plans have been provided. Sanitary sewer, water and storm sewer utility plans should accompany future submittals. The utility plans should take into account the future changes to Dodge Street. Storm water computations shall be provided for all onsite storm sewer conveyance and the assurance the existing city storm sewer system has proper capacity. Department of Commerce permits for all utility extensions and/or services will be required before construction.
- Sheet 3 of 8, "Proposed Site Plan with Existing Contours and Proposed Floor & Grade Elevations" shall be revised and resubmitted to the city for review to reflected items as stated below:

- The Site plan should be submitted at a recognized engineering scale.
  - Spot grades are required along all sidewalk, curbs, parking lots, and ridge lines to determine drainage patterns and adequate slope.
  - The contours as shown do not tie into the existing grades of the site and shall be amended.
  - All existing utilities shall be shown on the site plans.
  - Straw bale details are provided on the plan but there are no locations specified. An erosion control plan should be provided with construction sequence and maintenance procedures of all the erosion control measures to be utilized on site. Inlet protection should be added to existing and proposed catch basins.
  - An area to the rear is defined as material storage. If this area is for materials during construction it should also be shown on the landscape plan.
  - Parking spaces, drive ways and drive isles should be clearly dimensioned.
- The proposed hotel development is proposed to be built on 1.031 acres of land. If all phases of construction are kept below a total of one acre land disturbance for the entire development storm water management is not required per NR 216. The proposed development is considered redevelopment and is therefore exempt from infiltration requirements as required by NR 151. Applicability for storm water management practices follows Ordinance 270-5 of the Burlington Code. *Storm water management will not be required* for the hotel development.

*A roll call vote was taken; Ayes: Vos, Rauch, Eisenhardt, Henney, Lynch and Reesman; Nays: none. Motion carried 6-0.*

#### **OTHER MATTERS**

None.

#### **ADJOURNMENT**

Commissioner Lynch moved and Alderman Vos seconded to adjourn the meeting at 7:07 p.m. All were in favor and the motion carried.

Recording Secretary  
Megan E. Johnson  
Assistant to the City Administrator